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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

24 June 2004

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Summary record of the 1st meeting
Held at Headquarters, New York, on Monday, 26 April 2004, at 10 a.m.

Temporary Chairman: Mr. Molnár ..... (Hungary)
Chairman: Mr. Parnohadiningrat ..... (Indonesia)

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The meeting was called to order at 10.20 a.m.

Opening of the session

1. **The Temporary Chairman** declared open the third session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Election of the Chairman

2. **The Temporary Chairman** recalled that at its first session the Preparatory Committee had agreed that a representative of the Group of Non-Aligned and other States parties to the Non-Proliferation Treaty should chair the third session. He had subsequently been informed that the Non-Aligned States parties to the Treaty had nominated Ambassador Sudjadnan Parnohadiningrat (Indonesia) for that office.

3. *Mr. Parnohadiningrat (Indonesia) was elected Chairman by acclamation.*

4. *Mr. Parnohadiningrat (Indonesia) took the Chair.*

5. **The Chairman** recalled that progress in implementing the objectives and principles of the Non-Proliferation Treaty required an effective review process that would increase the focus on the achievement of agreed standards established by the 1995 Review and Extension Conference and the 2000 Review Conference. States parties had agreed that, at its third session, the Preparatory Committee should endeavour to produce a consensus report containing recommendations to the Review Conference and to ensure that the procedural arrangements for the Review Conference were finalized at the last session of the Preparatory Committee for the 2005 Review Conference.

6. The success of the Committee's efforts depended on its ability to take a balanced approach to the three pillars of the Treaty: non-proliferation, disarmament and peaceful nuclear cooperation. With respect to non-proliferation, some had expressed concern that the Treaty was discriminatory because it divided States parties into two classes of State. The only effective way to refute that criticism was through practical action in implementing all the Treaty's provisions. It was also imperative to address the key issues of universality and compliance. The second pillar, nuclear disarmament, had long been a focus of the Treaty review process, and States parties were urged to address the question of enhanced transparency and accountability in the process of implementing disarmament commitments. The Committee must also make recommendations to the 2005 Review Conference on legally binding security assurances for non-nuclear-weapon States parties to the Treaty. With regard to the peaceful uses of nuclear energy, delegations might wish to address the crucial importance of assistance to developing countries and of concluding and implementing International Atomic Energy Agency (IAEA) safeguards agreements. The challenges of enhancing physical security and nuclear safety would also shape future peaceful uses of nuclear energy.

7. He was encouraged by the strong support provided by the international community for renewed efforts to eliminate the grave threats posed by nuclear weapons, including threats from existing stockpiles, from the acquisition of such weapons by additional States, and from possible possession by non-State actors. The Treaty was far more than the cornerstone of the global non-proliferation regime. It contained a tacit recognition that the total elimination of nuclear weapons was the only absolute guarantee against the use or threat of nuclear weapons. It also strengthened global legal norms against the proliferation of such weapons and offered a framework for international cooperation on the peaceful uses of nuclear energy.

8. The Committee must also recognize that future support for the Treaty would depend to a large degree upon the level of understanding and support it enjoyed among the public. Representatives of civil society and non-governmental organizations had attended previous conferences, bringing new perspectives into the review process. States parties had the potential to enhance the Treaty by striving to improve its implementation, increase its transparency and explore ways to bring it to full membership.

9. With regard to his pre-session consultations, he noted that there continued to be divergent views on the status of the Democratic People's Republic of Korea, and that States parties had expressed their readiness to uphold the procedure applied by his predecessor. Accordingly, he did not intend to open a debate on the issue, and would temporarily retain the nameplate of the country in question for the duration of the third session, without prejudice to the outcome of ongoing consultations.

10. He noted that the agenda for all sessions of the Preparatory Committee had been adopted at the first meeting of the Preparatory Committee's first session in 2002 and had been reproduced in paragraph 8 of the report of the Preparatory Committee on that session (NPT/CONF.2005/PC.I/21).

Organization of work of the Preparatory Committee

(c) Methods of work

(ii) Participation

11. **The Chairman** recalled that, in accordance with the rules of procedure of the 2000 Review Conference, representatives of the United Nations and the International Atomic Energy Agency were entitled to attend the meetings of the Committee and to submit material, both orally and in writing. Moreover, in accordance with a decision taken by the Preparatory Committee at its first session, representatives of States not parties to the Treaty, representatives of specialized agencies and international and regional intergovernmental organizations, and representatives of non-governmental organizations should be allowed to attend, as observers, the meetings of the Committee other than those designated closed meetings. In that regard, to date no State had submitted a request to attend the Committee's meetings as an observer. However, requests had been submitted by the following intergovernmental organizations: the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the European Commission, the International Committee of the Red Cross (ICRC), the League of Arab States, and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Requests had also been submitted by 69 non-governmental organizations.

(iv) Records and documents

12. **The Chairman** recalled that, in accordance with the Committee's decision adopted at the first session, summary records would be provided for the Committee's opening and closing meetings and the general exchange of views. There would be no records of decisions taken at the other meetings.

General debate on issues related to all aspects of the work of the Preparatory Committee

13. **Ms. Hobbs** (New Zealand) said that events since the previous review had clearly shown that the purposes of the Treaty's preamble and provisions were not being realized, in respect of either non-proliferation or nuclear disarmament. Proliferation concerns had become acute over the past two years, in relation to the Democratic People's Republic of Korea, the Islamic Republic of Iran and the Libyan Arab Jamahiriya. Concerns about the fulfilment of the obligation to pursue negotiations on effective measures for nuclear disarmament were of somewhat longer duration. The "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", agreed on in 1995, had contained a programme of action towards the implementation of article VI of the Treaty. However, not one of the elements of that programme had been achieved. According to a 1996 advisory opinion of the International Court of Justice, there was an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. Moreover, the Final Document of the 2000 Review Conference had set out practical steps for systematic and progressive efforts to implement article VI. As yet, few of those steps towards nuclear disarmament had been taken.

14. The nuclear-weapon States — China, France, the Russian Federation, the United Kingdom and the United States of America — should be reminded that there was no scope for selective or deferred compliance with Treaty obligations. Indeed, as permanent members of the Security Council, they had special responsibilities to fulfil their international obligations. The failure of several States to comply with their non-proliferation objectives offered no pretext for further deferral on the part of the nuclear-weapon States. It would thus be untenable to allow the 2005 Conference to result in an outcome as solemnly agreed — but fallow — as its predecessors in 1995 and 2000 had proven to be. In addition to non-compliance with article VI, there had been a number of instances of non-compliance with the proliferation objectives of the Treaty, as well as concerns about the possibility of vertical proliferation.

15. On the positive side, the parties to the Treaty included virtually the entire international community, and the five nuclear-weapon States continued — in

word, at least — to support it. Widely observed law should not be called into question simply because several States had acted outside it. On the contrary, the law should be reinforced and strengthened. Her delegation was greatly concerned about the spread of nuclear weapons and other weapons of mass destruction. No nation could stand aloof from the current threats to international peace and security, especially from terrorists. And yet, the current emphasis on counter-proliferation measures should not outweigh the need to take concrete steps towards nuclear disarmament. The process of preparing the 2005 Review Conference was an opportunity for States parties to work together to address the threats posed by nuclear weapons. She urged States outside the Treaty to accede to it as non-nuclear-weapon States, promptly and without conditions.

16. There were a number of practical steps that could be taken by those States that possessed nuclear weapons in order to build international confidence and counter the claim made by proliferating States that they needed nuclear weapons because they feared the use or development of such weapons by their enemies. Those steps had been set out in detail in the omnibus resolution submitted by the New Agenda Coalition to the First Committee of the General Assembly in October 2003 and in the Coalition's position papers. None of those steps could be dismissed as hollow idealism. Indeed, they would significantly improve the current psychological environment, in which other States felt threatened or betrayed by the selective application of the Treaty by the nuclear-weapon States. Her delegation would support proposals to address the Treaty's institutional deficit, in order to improve reporting, deepen the role of non-governmental organizations, and promote disarmament education.

17. The cause of non-proliferation would be given its greatest boost through real commitment to nuclear disarmament. More leadership from the nuclear-weapon States in reducing their arsenals and demonstrating compliance under the Treaty's disarmament pillar would strengthen their moral authority and put pressure on India, Israel and Pakistan to do likewise, thereby reducing tensions in troubled areas and perhaps lowering the incentive, or pretext, for neighbouring States to develop weapons programmes.

18. **Mr. de Alba** (Mexico), speaking on behalf of the New Agenda Coalition, said that the challenges faced by the Treaty offered reaffirmation of the urgent need to complete the mandate given to the Preparatory Committee by the 2000 Review Conference. Substantive recommendations should be adopted, and political commitment was required. The achievement of nuclear disarmament was not an option, but a legal obligation established under the Treaty. Fifteen years after the end of the cold war, the Coalition remained deeply concerned that many thousands of nuclear weapons remained. The signing of the Strategic Offensive Reductions Treaty (the Moscow Treaty) had been a positive first step, but the Coalition continued to wonder whether it was an effective contribution to nuclear disarmament. The Moscow Treaty did not stipulate that nuclear weapons should be destroyed; moreover, it lacked transparency and verification measures. Any plans or intentions on the part of nuclear-weapon States to develop new types of weapons or rationalizations for their use contradicted the spirit of the Non-Proliferation Treaty and went against the agreement reached at the 2000 Review Conference for a diminishing role for nuclear weapons in security policies. Those approaches raised the concern that nuclear testing might be resumed. That would be a retrograde step for international peace and security.

19. The Coalition called for the upholding and maintenance of the moratorium on nuclear-weapon-test explosions, or any other nuclear explosions, pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Moreover, it considered that the reduction and elimination of non-strategic nuclear weapons was an essential part of a comprehensive nuclear disarmament process. It also welcomed the decisions of China and the Russian Federation to allow the Conference on Disarmament to adopt its programme of work, and called upon those States that had not yet done so to follow suit. The Conference should agree to establish a subsidiary body to deal with nuclear disarmament and should resume negotiations on the banning of the production of fissile material.

20. The Treaty placed special obligations on the nuclear-weapon States to dismantle their nuclear arsenals, but those States were still a long way from fulfilling their obligations under article VI. Selective compliance undermined the Treaty regime as a whole, and nuclear-weapon States should not merely pay lip service to their obligations. The New Agenda Coalition

attached importance to reporting as a step towards increasing transparency with regard to nuclear arsenals.

21. The situation in Asia and the Middle East continued to cause great concern. The New Agenda Coalition renewed its support for the establishment of a Middle East zone free of weapons of mass destruction. It welcomed the signing of the Additional Protocol by the Islamic Republic of Iran, and called upon it to complete the process of ratification and to resolve the outstanding questions regarding its nuclear programme. It welcomed the voluntary decision of the Libyan Arab Jamahiriya to give up its weapons programmes and to cooperate with IAEA, and it called upon Israel, the only State of the region not a party to the Treaty, to accede to it promptly and without conditions.

22. The New Agenda Coalition supported all diplomatic efforts to encourage the Democratic People's Republic of Korea to reverse its decision to withdraw from the Non-Proliferation Treaty and to establish a nuclear-weapon-free Korean Peninsula. India and Pakistan should accede promptly to the Treaty, and place all their facilities under IAEA safeguards. Nuclear-weapon-free zones, which enhanced global and regional peace and security, should be established in Central and South Asia and the Middle East.

23. To address the issue of weapons of mass destruction effectively, States must strengthen the resolve to achieve disarmament, including nuclear disarmament. The continued possession of nuclear weapons increased the possibility that they might fall into the hands of terrorists.

24. Every effort must be made to implement the Treaty in all its aspects, without hampering the peaceful uses of nuclear energy by States parties to the Treaty. The nuclear-weapon States must fully respect their existing commitments with regard to security assurances pending the conclusion of legally binding security guarantees for all non-nuclear-weapon States. Those guarantees could take the form of a separate agreement within the context of the Non-Proliferation Treaty, or as a protocol thereto. The New Agenda Coalition proposed that the 2005 Review Conference should consider establishing a subsidiary body to consider security guarantees, and another to focus on practical steps towards nuclear disarmament. Education for disarmament should be given special attention. The contribution of non-governmental organizations was most welcome in the review process, and their participation should be increased.

25. **Mr. Ryan** (Ireland), speaking on behalf of the European Union, the acceding Countries (Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia), the Associated Countries (Bulgaria, Romania and Turkey), the Stabilization and Association Process Countries (Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia), and, in addition, Iceland, Liechtenstein and Norway, said that the commitment of the European Union to the preservation of the integrity of the Non-Proliferation Treaty was enshrined in its strategy against the proliferation of weapons of mass destruction. The Treaty remained the cornerstone of the global non-proliferation regime for the pursuit of nuclear disarmament under article VI and an important element in the development of nuclear energy for peaceful purposes. The European Union would participate actively in laying the foundations for the 2005 Review Conference, building on the work of previous preparatory committees.

26. The European Union would place particular emphasis on the reinforcement of compliance with the Treaty. It was committed to improving existing verification mechanisms and systems, including through the effective strengthening of the role of the Security Council as the final arbiter of the consequences of non-compliance. Also, the IAEA compliance mechanisms needed to be properly funded and robust, in order to ensure effective detectability of violations.

27. The European Union continued to attribute great importance to the fight against terrorism, and strongly supported all measures aimed at preventing terrorists from acquiring or developing weapons of mass destruction. It called upon all States to take effective measures to deal with the diversion of and trafficking in such weapons and related material and, in that context, urged the early adoption of the amendment to the Convention on the Physical Protection of Nuclear Material.

28. The European Union deplored the announcement by the Democratic People's Republic of Korea in January 2003 of its intention to withdraw from the Treaty, and encouraged it to return to full compliance. It restated its firm resolve to contribute to the search

for a peaceful solution to the nuclear issue in that State, and welcomed the dialogue within the framework of the six-party talks.

29. The European Union welcomed commitments of the Islamic Republic of Iran in the context of the investigation by IAEA, including the signature by that State of the Additional Protocol. It encouraged that country to cooperate fully with IAEA in resolving all outstanding questions. It also welcomed the decision of the Libyan Arab Jamahiriya to eliminate its prohibited weapons programmes, as well as its ratification of the Comprehensive Test Ban Treaty and its cooperation with IAEA on its undeclared nuclear programmes.

30. The European Union endorsed the appeal by the Director General of IAEA for full cooperation from all States members of IAEA in identifying the supply routes and sources of the relevant technology and equipment. It was committed to strong national and internationally coordinated export controls, which would ensure that transfers took place for peaceful purposes as required by the Treaty. It would pay great attention to the preservation of the core principles of that Treaty, in particular the development of and cooperation on peaceful uses of nuclear energy.

31. The European Union welcomed the accession to the Non-Proliferation Treaty in 2002 and 2003, respectively, of Cuba and Timor-Leste. It continued to attach importance to achieving the universality of and universal compliance with the Treaty. In that connection, it regretted that India, Israel and Pakistan remained outside the Treaty, and it called upon them to accede unconditionally as non-nuclear-weapon States. The conclusion of the Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions, signed at Moscow on 24 May 2002 (the Moscow Treaty) was an important step in the context of international security.

32. The international safeguards system of IAEA was an essential part of the global nuclear non-proliferation regime. In that respect, the European Union welcomed the increase in the safeguards budget. It was regrettable that the number of safeguards agreements and protocols thereto actually in force was well below expectations. The protocols were an integral part of the safeguards system, and the States members of the European Union were working to make them a condition of supply for nuclear exports.

33. He underlined the importance of international cooperation for the elimination of weapons of mass destruction. The European Union fully supported and contributed significantly to the G-8 Global Partnership, and was committed to the comprehensive non-proliferation principles set out at the G-8 Summit held in Kananaskis, Canada, in 2002.

34. The European Union was committed to full implementation of all Security Council resolutions, and those adopted at the Review and Extension Conference of 1995. It called upon all States in the region to accede to the Non-Proliferation Treaty, the Biological and Chemical Weapons Conventions, and the comprehensive safeguards agreements and additional protocols of IAEA, and to establish verifiable nuclear-weapon-free zones.

35. The earliest possible entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) was most important and all States should sign and ratify that Treaty without delay, especially the States named in annex 2 thereto because its entry into force depended upon their ratification. He commended the recent ratification by Algeria.

36. The stalemate in the Conference on Disarmament in Geneva was regrettable. He was convinced that the resumption of substantive work within the Conference was particularly important in relation to the negotiation of a fissile material cut-off treaty. Such a treaty would strengthen nuclear non-proliferation and disarmament and, consequently, international security. In the interim, he urged all States to declare a moratorium on the production of fissile materials.

37. The European Union reaffirmed the inalienable right of parties to the Treaty to develop the research, production and use of nuclear energy for peaceful purposes, and stressed the need for effective verification to avoid the possible misuse of civilian nuclear programmes for military purposes.

38. **Mr. Hu Xiaodi** (China) said the new century had brought far-reaching changes and new uncertainties in the international security landscape. Non-traditional security challenges were on the rise and the spread of weapons of mass destruction, plus the risk of terrorists acquiring such weapons, added complexity and challenges to global non-proliferation efforts. The Non-Proliferation Treaty, the cornerstone of the nuclear non-proliferation regime, should therefore be strengthened and be universally ratified. He welcomed

the accession of Cuba and Timor-Leste to the Treaty and called on States which had not yet done so to ratify the Treaty as quickly as possible. The International Atomic Energy Agency (IAEA) played an irreplaceable role in ensuring the implementation of the Treaty and he urged all countries to meet their non-proliferation obligations and ratify the safeguards agreements and the additional protocols.

39. His delegation supported the speeding up of negotiations to amend and strengthen the Convention on the Physical Protection of Nuclear Material and thereby enhance the ability of the countries to prevent the acquisition of radioactive materials by non-State entities. Any amendments to that Convention should, however, strengthen international law rather than grant any country the right to attack other countries' civilian nuclear facilities. In that regard, he stressed the important role of the United Nations in promoting non-proliferation, and supported the use of Security Council resolutions based on full consultation to prevent the smuggling of weapons of mass destruction by non-State entities. His delegation was open to discussion of any measures aimed at strengthening the non-proliferation regime so long as they were based on international law and conducive to political and diplomatic solutions without undermining the legitimate rights and interests of any sovereign State.

40. The proliferation of nuclear weapons was a complex issue which must be treated in a comprehensive manner by solving the symptoms and root causes simultaneously. All States must commit to a new security concept based on mutual trust, mutual benefit, equality and cooperation, create an international environment of cooperation and trust, and safeguard security for all. International nuclear disarmament efforts must therefore continue.

41. He noted that, although confrontation between countries, especially large countries, had declined and cooperation had strengthened, international terrorism and the proliferation of weapons of mass destruction had become major threats to international security. The principles of the preservation of global strategic stability and undiminished security for all were indispensable to nuclear disarmament and non-proliferation. All nuclear-weapon States should reaffirm their commitment to the elimination of nuclear weapons, stop the development of new types of nuclear weapons, ratify the Comprehensive Nuclear-Test-Ban Treaty as soon as possible and observe the moratorium on tests, reduce the role of nuclear weapons in national security policy, and refrain from listing any State as a nuclear strike target. The two States with the largest nuclear arsenals should implement agreed nuclear-weapon-reduction treaties and further reduce their arsenals in an effectively verifiable and irreversible manner so as to create conditions for other nuclear-weapon States to join the nuclear disarmament process.

42. The Conference on Disarmament, as the sole disarmament negotiation body, should agree on a programme of work as soon as possible, start negotiations on a treaty banning the production of fissile materials for nuclear weapons, establish an ad hoc committee on nuclear disarmament, security assurances and the prevention of an arms race in outer space, and consider all the relevant issues. The 13 practical steps towards nuclear disarmament agreed on at the 2000 Review Conference remained valid and should be adhered to. At the same time, it was important to explore new proposals such as those relating to no first use of nuclear weapons, no development of new nuclear weapons and the prevention of the weaponization of outer space.

43. Security assurances had always been a priority for non-nuclear-weapon States and his delegation firmly supported the conclusion of an international legal instrument on security assurances as soon as possible. The right to the peaceful uses of nuclear energy, however, was one of the three pillars of the Non-Proliferation Treaty and non-proliferation efforts should not impede the legitimate peaceful use of nuclear technology or be used as a pretext for other objectives. There was, however, a lack of funding for the peaceful exploitation of nuclear energy and an imbalance between safeguards and development activities; he therefore hoped that Member States and IAEA would provide greater support to development activities and sufficient technical cooperation funding. An institutional solution to the problem must also be considered.

44. His Government had always faithfully implemented its obligations under the Treaty; it had supported the complete prohibition and destruction of nuclear weapons, exercised restraint in developing nuclear weapons and maintained only a minimal arsenal necessary for self-defence. It was an active participant in the Non-Proliferation Treaty review process and supported the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and the start

of negotiations on a fissile material control treaty at the Conference on Disarmament.

45 His Government had declared that it would never be the first to use nuclear weapons, nor would it use or threaten to use nuclear weapons against non-nuclear-weapon States or in nuclear-weapon-free zones. It had signed all relevant protocols to the nuclear weapon-free-zone treaties which were open to signature and, in cooperation with the Association of Southeast Asian Nations (ASEAN), had reached agreement on the South-East Asian Nuclear-Weapon-Free-Zone Treaty and its Protocol. It also had no objection to the text of the Protocol to the Central Asian Nuclear-Weapon-Free-Zone Treaty.

46. His delegation continued to participate in international efforts to prevent the proliferation of nuclear weapons and nuclear terrorism. On the domestic level, his Government had acted to control nuclear exports and dual-use items and related technologies in accordance with international practices. It was active in the peaceful uses of nuclear energy and cooperated with other Member States under IAEA safeguards. At the current session of the Preparatory Committee and the 2005 Review Conference his delegation would work to ensure that progress was made on all reasonable proposals which supported the objectives of the Non-Proliferation Treaty.

47. **Mr. Broucher** (United Kingdom) said that, while the events of the past year had shown that multilateralism could pay great dividends in the field of counter-proliferation, much remained to be done. States continued to try to develop clandestine weapons programmes and terrorists were seeking nuclear materials. He supported the six-party talks under way in Beijing regarding the uranium enrichment programme of the Democratic People's Republic of Korea and said the international community must redouble its counter-proliferation activities and work to strengthen the international machinery which supported those activities. His delegation therefore fully supported the Non-Proliferation Treaty as the cornerstone of the nuclear non-proliferation regime.

48. His Government had worked with the United States to facilitate the decision of the Libyan Arab Jamahiriya to acknowledge and renounce its programme of weapons of mass destruction and, in cooperation with France and Germany, had encouraged the Islamic Republic of Iran to resolve international concerns about the purpose of its nuclear programme. That country should allay the concerns of the international community about its programme and thereby pave the way for a sustainable long-term agreement. Despite calls for new mechanisms, however, such as annual conferences to replace the preparatory committees and a standing bureau of the Treaty, his delegation believed that existing mechanisms, if strengthened, were sufficient to tackle proliferation and non-compliance issues.

49. The United Kingdom remained a staunch supporter of the IAEA, whose work and safeguards underpinned the entire Non-Proliferation Treaty; it was the front line of defence against States which would cheat on their international obligations. He therefore called upon all States which had not yet done so to ratify and implement the comprehensive safeguards agreements and the additional protocols thereto. No country which was developing nuclear technology for purely peaceful purposes should have anything to fear from such a step.

50. Within the Nuclear Suppliers Group (NSG), his delegation had actively promoted the principle that participating Governments should adopt the additional protocol, as a condition for the supply of the most sensitive nuclear items. In 2003, States parties had significantly increased resources for the Agency's safeguards activities and recent events had highlighted the importance of the Agency's work in that area. The Agency should continue to receive the funding it needed. Whenever possible, the United Kingdom had paid its contributions in full and on time and had made voluntary contributions to the Agency in the past year, amounting to over half a million dollars.

51. The International Atomic Energy Agency could not, however, solve problems alone; action by other international bodies and by national Governments was necessary and he therefore supported the expansion of the work of the Proliferation Security Initiative, which, through information-sharing and enhanced operational readiness, had created a practical basis for cooperation in interdicting shipments of weapons of mass destruction, their delivery systems and related materials. The number of countries supporting the Initiative continued to grow and he hoped that all countries would eventually cooperate with it. The Global Partnership was another genuinely multilateral effort to tackle the dangers posed by the weapons legacy of the former Soviet Union. His Government

had committed up to $750 million to that Partnership over 10 years.

52. In an effort to meet its international commitments, his Government had adopted the Anti-Terrorism, Crime and Security Act 2001, which made it an offence to aid or abet the overseas use or development of nuclear, biological or chemical weapons, while the Export Control Act 2002 extended current end-use controls to include technical assistance and the transfer of technology. He called on other Governments to enact and enforce similar domestic laws and controls and looked forward to the adoption by the Security Council of a resolution on the subject.

53. His delegation strongly supported the principle that States parties should have access to the benefits of the peaceful uses of nuclear energy, but they must also comply with their safeguards obligations under the Non-Proliferation Treaty. States which failed to do so should lose the right to the nuclear fuel cycle, particularly the enrichment and reprocessing capability which was so sensitive with regard to proliferation. They could still build and run civil nuclear power stations, operated with fuel supplied by countries which honoured their safeguards obligations. The fuel would be subject to IAEA monitoring in the receiving country and would be returned to the supplying country when spent. That would prevent a seemingly civil programme from masking a weapons programme.

54. With a view to achieving universal ratification of the Non-Proliferation Treaty, he called on India, Pakistan and Israel to accede to the Treaty as non-nuclear-weapon States; his delegation was opposed to any move to amend the Treaty to give them formal status as nuclear-weapon States. All three States should likewise ratify the Comprehensive Nuclear-Test-Ban Treaty and join in the moratorium on the production of fissile material and the negotiation of a fissile material cut-off treaty. He welcomed recent efforts by India and Pakistan to reduce nuclear tensions in their region through confidence-building measures. Pakistan had been a source of nuclear proliferation and India had developed its domestic technological base to the point where it could be an attractive target for procurement networks. Effective ways must be found to work with both States in the future.

55. His delegation supported the establishment of nuclear-weapon-free zones and continued to engage in talks with the Central Asian and South-East Asian States. It looked forward to the establishment of nuclear-weapon-free zones in those areas in the near future. It also supported the establishment of an effectively verifiable Middle East zone free of nuclear weapons, as well as of other weapons of mass destruction.

56. The United Kingdom remained committed to its negative security assurances, as given in 1995 and as noted in Security Council resolution 984 (1995). It had also given assurances through the protocols it had signed to the nuclear-weapon-free zone treaties. Since 2000, his Government had signed and ratified the relevant protocols to the Treaties of Raratonga and Pelindaba, which had established the South Pacific Nuclear-Free-Zone and the African Nuclear-Weapon-Free-Zone. Those commitments provided the non-nuclear-weapon States with the assurances they sought.

57. His delegation continued to support the disarmament measures agreed on at previous Review Conferences and welcomed all reductions in nuclear-weapon levels, whether achieved through unilateral, bilateral or multilateral means. It remained committed to working towards a safer world in which there was no need for nuclear weapons. The strengthening of the international non-proliferation regime was an important element in efforts to achieve that goal. The United Kingdom had made substantial progress on its global nuclear disarmament obligations pursuant to article VI of the Treaty. Its only remaining nuclear-weapon system was the Trident submarine, for which it held fewer than 200 operationally available warheads; that represented a reduction of 70 per cent in the explosive power of its nuclear weapons since the end of the cold war. Furthermore, nuclear forces patrolled only at a reduced level of readiness, with a single Trident submarine on deterrent patrol at any one time, normally at several days "notice to fire" and with its missiles de-targeted.

58. His Government had also signed and ratified the Comprehensive Nuclear-Test-Ban Treaty, and stopped the production of fissile material for nuclear weapons and explosive devices; in 1998, it had been the first nuclear-weapon State to declare the total size of those stocks. All fissile material no longer required for defence had been placed under international safeguards where it was liable to inspection by IAEA. A fissile material historical accounting programme had also been initiated. His delegation continued to work for the resumption of negotiations at the Conference on

Disarmament or a fissile material cut-off treaty and called upon others to join it in a moratorium on production; such a treaty would be the next step in the nuclear disarmament process.

59. With regard to nuclear terrorism, he said that recent events had demonstrated that there were individuals or groups determined to wreak havoc on society in the promotion of their cause. The threat of terrorist use of nuclear weapons was a concern to all and he welcomed the work being carried out to reduce that risk by individual nations, the Counter-Terrorism Committee, IAEA, the G-8 and others. He also welcomed work to tackle the root causes of terrorism.

60. Lastly, he reiterated his delegation's commitment to the Non-Proliferation Treaty, to meeting its commitments in that regard and to continuing to work to strengthen the non-proliferation regime with a view to achieving a universal, verifiable instrument which would guarantee a world free from nuclear danger and thereby provide security for all.

61. **Mr. Baali** (Algeria) said that the lack of progress towards nuclear disarmament since the 2000 Review Conference, as well as the emergence of new threats such as the risk of terrorist groups obtaining weapons of mass destruction, the continuing central and strategic role accorded to nuclear weapons in security policies, and the risk of both horizontal and vertical proliferation were sources of great concern which did not augur well for the elimination of nuclear weapons in the near future. As the cornerstone of non-proliferation and nuclear disarmament efforts, the Non-Proliferation Treaty must therefore be strengthened and consolidated, its three pillars must be respected and fairly implemented in an irreversible manner and it should become a universal instrument.

62. States parties must respect their obligation not to acquire nuclear arms, while nuclear States must implement their commitment to eliminate their nuclear arsenals. The Treaty should be implemented as a whole because selective implementation would run the risk of eroding and weakening the non-proliferation regime. The existence of nuclear arsenals and the vertical proliferation of nuclear weapons, contrary to the spirit and letter of the Treaty, were challenges which States parties must resolve.

63. The indefinite extension of the Treaty in 1995 did not imply a continuing right to hold nuclear weapons nor the permanent division of the world between nuclear-weapon and non-nuclear-weapon States. The binding nature of article VI required good faith negotiations for the total elimination of nuclear weapons. In that context, he called for full implementation of the 13 practical steps towards nuclear disarmament adopted at the 2000 Review Conference.

64. The cold war attachment to nuclear deterrence must be abandoned in order to ensure the implementation of the Comprehensive Nuclear-Test-Ban Treaty as an unequivocal sign of the nuclear-weapon States' commitment to the total elimination of their nuclear arsenals. That cold war mentality was one of the reasons for the current impasse at the Conference on Disarmament and he called for that Conference to recommence its substantive work. All parties should show flexibility and pragmatism in ensuring the success of the draft presented by the group of five ambassadors in that connection.

65. Pending the elimination of all nuclear weapons, which was the only true guarantee of security, it was essential that negative security assurances should be codified in a binding juridical instrument. Time should be allotted to that issue and his delegation fully supported the proposal of the Movement of Non-Aligned Countries that a subsidiary body should be established for that purpose at the Review Conference.

66. Regional nuclear disarmament through the creation of nuclear-weapon-free zones made an effective contribution to the achievement of the objective of non-proliferation and nuclear disarmament. The nuclear-weapon States should ratify the protocols concerning them and encourage the creation of more such zones throughout the world, since they played an important role in strengthening international and regional peace and security. At the 1995 Review Conference, a resolution had been adopted calling for the creation of a nuclear-weapon-free zone in the Middle East and also calling on Israel to adhere to the Non-Proliferation Treaty and to submit its facilities to IAEA guarantees. The international community must prevail on Israel to remove that last obstacle to the strengthening of peace and stability in the region.

67. In conclusion, he stressed his delegation's attachment to the right of States to develop nuclear energy for peaceful purposes and to harness it for their social and economic development, in full compliance

with the provisions of the Treaty and IAEA safeguards. That would increase economic and social prosperity and lay the foundations for peace and security. His delegation remained committed to achieving those goals through nuclear disarmament and positive dialogue and cooperation to meet the needs and expectations of all concerned.

68. **Mr. Gomez Robledo** (Mexico) said that he wished to echo the recent discussions in the Security Council concerning an initiative to prevent weapons of mass destruction from falling into the hands of non-State actors. Mexico and many other countries believed that the best means of prevention would be the total elimination of such weapons through the negotiation of multilateral disarmament agreements.

69. The recommendations to be made to the 2005 Review Conference must maintain the balance among the three pillars supporting the Treaty: non-proliferation, nuclear disarmament and cooperation in the peaceful uses of nuclear energy. It supported all initiatives to secure guarantees from nuclear-weapon States to those States which had renounced such weapons that they would never use them against them. Together with the New Agenda Coalition, Mexico believed that such guarantees could be provided either through an agreement negotiated within the Treaty framework or through a protocol to the Treaty itself. He drew attention to the request of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) to nuclear-weapon States to review their interpretive declarations concerning the Treaty of Tlatelolco with a view to their withdrawal, that would open the way to their participation in its additional protocols. The Havana Declaration had also reaffirmed the commitment within the region to the holding of a conference of States parties and signatories of treaties establishing nuclear-weapon-free zones. Verification through the system of IAEA safeguards remained the best available mechanism for ensuring compliance with the obligations of States parties; with that in mind, Mexico had recently signed the additional protocol to its safeguards agreements.

70. Further progress was needed in the national application of article VI of the Treaty, in particular the firm commitment made by the nuclear-weapon States at the 2000 Review Conference that they would destroy their nuclear arsenals. The Strategic Offensive Reductions Treaty (Moscow Treaty) was a step forward in defining a new relationship between the United States of America and the Russian Federation, but his delegation remained concerned that there had not been greater reductions in strategic nuclear weapons nor had there been unilateral measures to reduce the operational status of nuclear-weapon systems, and that no verification mechanism had been developed.

71. In the view of Mexico, the continued retention of nuclear weapons by some States increased the possibility that such weapons could fall into the hands of terrorists. It was therefore imperative to pursue the goal of eliminating such weapons completely. Nuclear disarmament was not a choice, but a commitment and an obligation under the Treaty, as the International Court of Justice had ruled in its landmark advisory opinion of 1996.

72. **Mr. Rastam** (Malaysia), speaking on behalf of the members of the Movement of Non-Aligned Countries which were parties to the Treaty, as well as Brazil and Mexico, said that the Preparatory Committee was mandated to produce a consensus report containing recommendations and to finalize the procedural arrangements for the 2005 Review Conference. The Non-Aligned Movement, at its Summit in September 2003, had affirmed that multilateralism and multilaterally agreed solutions in accordance with the Charter of the United Nations provided the only sustainable method of dealing with the multiplicity of disarmament and international security issues.

73. The indefinite extension of the Non-Proliferation Treaty did not imply the indefinite possession by the nuclear-weapon States of their nuclear arsenals; such an assumption was incompatible with the integrity and sustainability of the nuclear non-proliferation regime and the broader objective of maintaining international peace and security. The total elimination of nuclear weapons was the only absolute guarantee against their use. Pending their total elimination, the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be a priority. The free, unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes must be ensured under the Treaty. It was also urgent to achieve universality through the accession of those States which possessed nuclear capabilities.

74. The Non-Aligned Movement reaffirmed its support for the establishment of a nuclear-weapon-free zone in the Middle East, and called on Israel, the only country in the region which was not a party to the Treaty, to renounce nuclear weapons, accede to the Treaty without delay and place all its nuclear facilities under IAEA safeguards. It welcomed the accession of Timor-Leste to the Treaty, but regretted that the Democratic People's Republic of Korea had announced its intention to withdraw.

75. The establishment of nuclear-weapon-free zones represented a positive step towards the objective of global nuclear disarmament. The Non-Aligned Movement supported the institutionalization of Mongolia's nuclear-weapon-free status as a step towards strengthening the non-proliferation regime in that region, and welcomed Cuba's ratification of the Treaty of Tlatelolco, which brought the Treaty into full force in its area of application. It stressed the importance of the ratification of the Treaties of Rarotonga and Pelindaba by all States in their respective regions, and welcomed the decision by all five Central Asian States to sign a nuclear-weapon-free zone agreement as soon as possible.

76. The Non-Aligned Movement stressed the significance of universal adherence to the Comprehensive Nuclear-Test-Ban Treaty. The development of new types of nuclear weapons was contrary to the guarantees given by the nuclear-weapon States. It also reaffirmed the importance of achieving universal application of the IAEA safeguards system. However, efforts towards achieving universality should not entail further restrictions on non-nuclear-weapon States in pursuing peaceful uses of nuclear energy.

77. The Non-Aligned Movement remained concerned about the lack of progress towards the total elimination of nuclear weapons. Despite some reports of bilateral and unilateral reductions, thousands of such weapons, in unconfirmed numbers, were still deployed. Reductions in deployments and in operational status could not, however, substitute for irreversible cuts in nuclear weapons. Strategic defence doctrines continued to give rationales for the use of such weapons, as demonstrated by the recent policy review of one nuclear-weapon State, which considered expanding the circumstances under which those weapons could be used and the countries against which they could be used. The development of new types of nuclear weapons and new targeting options further undermined commitments to disarmament, and the abrogation of the Treaty on the Limitation of Anti-Ballistic Missiles (ABM Treaty) had brought new challenges to the prevention of an arms race in outer space.

78. The continued inflexibility of some nuclear-weapon States had prevented the Conference on Disarmament, the sole multilateral negotiating body in that area, from establishing an ad hoc committee on nuclear disarmament and from resuming negotiations on a treaty banning the production of fissile materials. It was also regrettable that the United Nations Disarmament Commission had been unable to reach a consensus on substantive agenda items. Those issues reflected the progressive erosion of multilateralism, and the Non-Aligned Movement reiterated its support for General Assembly resolution 58/44 on the promotion of multilateralism in the area of disarmament and non-proliferation. Strengthening the role of the United Nations in resolving those issues was a collective responsibility. The convening of a fourth United Nations special session of the General Assembly devoted to disarmament would provide an opportunity to review and assess the implementation of the Final Document of the first special session. No progress had been achieved towards the realization of the Millennium Declaration commitment to the elimination of weapons of mass destruction.

79. The first and second sessions of the Preparatory Committee for the 2005 Review Conference had dealt with most of the procedural issues, and the current session should therefore focus on nuclear disarmament. The Final Document of the 2000 Review Conference had called for regular reports on the implementation of article VI of the Treaty, as well as the issues and principles addressed in the thirteen practical steps agreed at that Conference. Other useful areas of focus included the Middle East and security assurances. It would be important to establish subsidiary bodies to Main Committees I and II to consider those topics at the 2005 Review Conference.

The meeting rose at 1.25 p.m.